



January 16, 2014

To: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Subject: Appeal of USAC Funding Decision - Docket 02-6

Request for Review

School: Gan Yisroel
BEN: 228595
Form 471 # 744582
FRN 2009835

School: TALMUD TORAH DNITRA
BEN: 16056926
Form 471 # 764829
FRN 2066793

School: AHI EZER YESHIVA SCHOOL
BEN: 12153
Form 471 # 736729
FRN 1990861

This letter is to appeal the Notification of Commitment Adjustment Letter (07/22/2013) resending the funding for the Bogen system. The letter states: After a thorough review, it was determined that the funding commitment for this request. must be rescinded in full. During a review, it was determined that funding was provided for the following ineligible items: Redundant PBX- Bogen PBX Expansion unit.



We would like to appeal this decision:

At the time we submitted these proposals to the schools this Bogen PBX system was listed as an eligible product on the Schools and Libraries Web Site.

The Bogen PBX is not functioning as a redundant PBX rather it was set up and being used in conjunction with the primary PBX. The primary PBX provides the capability for advanced multiline telephone instruments, IP Telephones, voicemail and standard and advanced telephone line interface such as PRI or SIP Trunks. For the areas of the school or library that require standard telephone service (analog circuits) such as class rooms some schools selected to purchase a Bogen system. Those areas of the school a traditional PBX is not practical. The Bogen System and the "primary" PBX are integrated in such a way that they are effectively one system, where voice traverses analog circuits, digital lines, IP networks, and many forms of wireless signals, station-to-station calls and calls to the public switched network flow freely between the two systems.

Also the cost of utilizing the two systems will typically be similar to (or lower than) the cost of adding the additional capacity (through end connections from the same manufacturer as the PBX) to the primary PBX.

We had previously appealed this directly with USAC. But in a letter dated November 22, 2013, our appeal was denied stating " In your appeal you have verified that you are using two telephone systems to function as one. Program rules state that the Bogen telephone system is eligible if it is the schools only telephone system in use". We believe that the program rules that the letter is referring are rules that USAC drew after the fact, after it was funded and paid for. USAC obviously was aware that these schools are utilizing the Bogen System in conjunction with the primary PBX.

Sincerely

Gitty Lichtenstadter
President